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| | | | |
|-----------------|---|-------------------|--------------------|
| Application of: | Wold et al. | Group No.: | 1632 |
| Serial No.: | 09/351,778 | Atty. Docket No.: | 66153/7775 |
| Filed: | 12 July, 1999 | | |
| For: | Replication-competent Anti-cancer vectors | Examiner: | not yet reassigned |

Commissioner of Patents and Trademarks
Washington, DC 20231

PRELIMINARY AMENDMENT UNDER 37 C.F.R. 1.115

This paper is filed in the above referenced case to present new dependent claims that are supported by the specification-as-filed. Please amend the above-identified application as set forth below.

In The Claims:

Applicants request that the following new dependent claims be entered into the present case.

Sub F2
29. (New) The recombinant adenovirus vector of claim 1 wherein the adenovirus vector comprises a mutation in an E1A gene that renders the adenovirus incapable of expressing an E1A viral protein which binds the pRB and the p300/CBP proteins.

30. (New) The recombinant adenovirus of claim 1 wherein an E4 promoter of said recombinant adenovirus vector is substituted with a promoter, which is activated only in neoplastic cells.

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| | | | | |
|---|--|----------------------------|------------------|-------------------------------------|
| Express Mail No.: EL474178341US | | Attorney Docket No. | 66153/7775 | First Inventor: Wold et. al. |
| AMENDMENT TRANSMITTAL LETTER Title: OIPE APR 17 2002 PATENT & TRADEMARK OFFICE | | Serial No. | 09/351,778 | |
| | | Filing Date | July 12, 1999 | |
| | | Examiner | Not Yet Assigned | |
| | | Group Art Unit | 1632 | |

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

☐ Large Entity Status

☒ Small Entity status of this application has been established under 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED - PART II | | | | | | SMALL ENTITY | | OTHER THAN SMALL ENTITY | |
|-----------------------------|---|----------------------------------|-------|------------------------------------|---------------|------------------|-----------------|-------------------------|-----------------|
| | | (Column 1) | | (Column 2) | (Column 3) | RATE | ADDI-TIONAL FEE | RATE | ADDI-TIONAL FEE |
| AMENDMENT | | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | | | | |
| | Total (37 CFR 1.16(c)) | 32* | Minus | 27 | 4 | x \$9.00 = | 36.00 | x \$ = | 0.00 |
| | Independent (37 CFR 1.16(b)) | 3* | Minus | 3 | 0 | x \$42.00 = | 0.00 | x \$ = | 0.00 |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | x \$ = | | + \$ = | |
| | | | | | | TOTAL ADDIT. FEE | 36.00 | TOTAL ADDIT. FEE | 0.00 |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

☐ Petition of Extension of Time.

☐ No additional fee is required for amendment.

☐ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. 20-0823.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-0823.
I have enclosed a duplicate copy of this sheet.

☐ Any additional filing fees required under 37 C.F.R. 1.16.

☐ Any patent application processing fees under 37 C.F.R. 1.17.

Signature
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